

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A method of forming a vial ~~for use in a level~~, the method comprising:

- providing a cylinder formed from a first material having an inner surface defining a cavity;
- molding a second material around the cylinder;
- machining the inner surface to a desired shape state; and
- ~~positioning a bubble in the cavity.~~

2. (Currently Amended) The method of claim 1 wherein the cylinder is molded from the first material and has an outer surface, the method further comprising positioning indicia a ~~marker ring~~ on the outer surface of the cylinder before the molding step such that the second material is molded around the indicia ~~marker ring~~ and the indicia ~~marker ring~~ is enclosed between by the cylinder and the second material.

3. (Currently Amended) The method of claim 5 ~~2~~ wherein the material is molded around the cylinder and marker ring by:

- positioning the cylinder and marker ring on a core pin;
- inserting the core pin into a mold;
- flowing the second material into the mold; and
- ejecting the cylinder, marker ring, and second material from the mold.

4. (Currently Amended) The method of claim 1 ~~3~~ wherein a ~~the~~ bubble is positioned in the cavity by partially filling the cavity with a liquid and enclosing the cavity with an end closure.

5. (Currently Amended) The method of claim 2 wherein the ~~1 further comprising putting~~ indicia is a marker ring on the cylinder before the material is molded around the cylinder.

6. (Currently Amended) The method of claim 1 wherein the first and second cylinder ~~and the materials~~ are acrylic.

7. (Original) The method of claim 1 wherein the inner surface is machined such that the cavity is barrel-shaped.

8. (Currently Amended) ~~In a A vial for use with a level comprising ; the vial including at least one marker ring, the improvement wherein:~~

- ~~the vial includes~~ a cylinder formed from a first material, the cylinder having a inner surface defining a cavity and an outer surface;
- ~~the vial includes~~ a sleeve formed from a second material and being ; the sleeve molded around the cylinder ; and
- indicia positioned on the outer surface, the inner surface not being penetrated by the indicia and the indicia being the at least one marker ring is bounded by the cylinder and the sleeve.

9. (Currently Amended) The vial of claim 8 wherein the first and second materials cylinder ~~and sleeve~~ are acrylic.

10 - 11. (Cancelled)

12. (Currently Amended) The vial of claim 9 ~~11~~ wherein the cylinder and the sleeve extend from a first end to a second end and the cavity is partially filled with a liquid to define a bubble, the cavity being sized to receive further comprising a first end closure at the first end and a second end closure at the second end ~~; the vial enclosing a liquid and a bubble.~~

13. (Cancelled)

14. (Currently Amended) The vial of claim 8 ~~13~~ wherein the ~~at least one marker ring or~~ indicia is hot stamped onto the cylinder.

15. (Currently Amended) A vial ~~for use with a level comprising , the vial formed by:~~

- ~~providing~~ a cylinder comprised of a first material and having an inner surface defining a cavity;
- ~~molding~~ a second material molded around the cylinder; and
- ~~machining~~ the inner surface being machined to form a cavity having a desired shape state; and
- ~~positioning a bubble in the cavity.~~

16. (Currently Amended) The vial of claim 15 wherein the first and second materials are the same acrylic material having a melting point and wherein the cylinder is solid and at a temperature less than the melting point ~~cooled~~ when the second material is molded around the cylinder.

17. (Currently Amended) The vial of claim 15 ~~16~~ wherein the cylinder is molded and has an outer surface, ~~and at least one marker ring is embedded into the outer surface, the marker ring not extending through the inner surface, and of the cylinder such that~~ the second material is molded around the ~~at least one marker ring such that and~~ the marker ring is enclosed between by the first material and second material.

18. (Cancelled)

19. (Currently Amended) The vial of claim 15 ~~18~~ wherein a ~~the~~ bubble is positioned in the cavity by partially filling the cavity with a liquid and enclosing the cavity with an end closure.

20. (Currently Amended) The vial of claim 24 ~~+~~ wherein ~~the inner surface is machined such that~~ the cavity is barrel-shaped.

21. (New) The vial of claim 8 wherein the indicia is at least one marker ring.

22. (New) The vial of claim 8 wherein the inner surface is machined to form a cavity having a desired shape.

23. (New) The vial of claim 15 wherein the first material is polycarbonate and the second material is acrylic.

24. (New) The vial of claim 17 wherein the desired shape is curvilinear.

25. (New) The vial of claim 20 wherein the cavity has a maximum diameter and the at least one marker ring is two marker rings such that the maximum diameter is positioned equidistant between the marker rings.